

**REMARKS**

Claim 5 has been canceled. Claims 4 and 6, and amended claims 1-3 and 7-14 are in this application.

Claims 1-4 and 6-14 were rejected under 35 U.S.C. § 103(a) as being unpatentable over U.S. Patent No. 6,064,380 (Swenson et al.) in view of U.S. Patent No. 6,868,225 B1 (Brown et al.) and U.S. Publication No. 2003/0122966 A1 (Markman et al.).

Each of independent claims 1-3, 7-10 and 12-14 has been amended herein. As a result and as an example, amended independent claim 1 recites in part the following:

"A communications system, comprising:

a **plurality** of information processing apparatus; and

an information management apparatus operable to manage playing positions of contents;

. . .

wherein said playing position represented by said time stamp corresponds to a stopped position whereat a respective user requested that said content be stopped **by use of a first one of said information processing apparatus** and wherein said content is playable from said stopped position based on said associated access right information **by use of a second one of said information processing apparatus which is different from the first one thereof.**"  
(Emphasis added.)

It is submitted that the present application provides support for the features herein added to claim 1 (and to claims 2-3, 7-10 and 12-14). With regard thereto and as an example, reference is made to paragraphs 0054, 0121 and 0122 and Figs. 2 and 10 of the present application.

Accordingly in claim 1, a user may request that the content be stopped "by use of a first one of said information processing apparatus" and such content may be played from (or play may be resumed from) such stopped position "by use of a second one of said information processing apparatus which is different from the first one thereof." It is respectfully submitted that the applied combination of Swenson, Brown and Markman does not appear to disclose such feature as now specifically recited in claim 1. That is, in explaining the above 103 rejection with regard to claim 1, the Examiner appears to rely on lines 28-32 of column 2 and lines 46-51 of Swenson to disclose "a request from the information processing apparatus for the playing of said content from said playing position . . . ." (See lines 8-11 of page 6 of the present Office Action.) It is submitted that such portions of Swenson do not appear to disclose the above-identified features of claim 1-----that is, "wherein said playing position represented by said time stamp corresponds to a stopped position whereat a respective user requested that said content be stopped by use of a first one of said information processing apparatus and wherein said content is playable from said stopped position based on said associated access right information by use of a second one of said information processing apparatus which is different from the first one thereof."

Accordingly it is submitted that amended claim 1 is distinguishable from the combination of Swenson, Brown and Markman applied by the Examiner for at least the reasons discussed above.

For reasons similar to or somewhat similar to those previously described with regard to claim 1, it is also respectfully submitted that amended independent claims 2-3, 7-10 and 12-14 are also distinguishable from the applied combination of Swenson, Brown and Markman.

Claims 4 and 6 are dependent from amended independent claim 3. Accordingly, it is also respectfully submitted that dependent claims 4 and 6 are distinguishable from the applied combination of Swenson, Brown and Markman for at least the reasons previously described.

As it is believed that all of the rejections set forth in the Official Action have been overcome, favorable reconsideration and allowance are earnestly solicited. If, however, for any reason the Examiner does not believe that such action can be taken at this time, it is respectfully requested that the Examiner telephone applicants' attorney at (908) 654-5000 in order to overcome any additional rejections and/or objections which the Examiner might have.

If there are any additional charges in connection with this requested amendment, the Examiner is authorized to charge Deposit Account No. 12-1095 therefor.

Dated: July 28, 2010

Respectfully submitted,  
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